P-3724-F2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Michael J. Sullivan

Serial No.: 08/815,556 **Examiner:** M. Graham

Filing Date: March 12, 1997 **Group Art Unit:** 3711

For: MULTI-LAYER GOLF BALL

Mail Stop BPAI
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

FAX RECEIVED
JUL 28 2003
GROUP 3700

FEE TRANSMITTAL LETTER

1. Transmitted herewith is an Appeal Brief for this application.

STATUS

2. Appellant is not a small entity.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

   a. XXX Appellant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

   b. ___ It is hereby petitioned that any required extension of time be granted for filing the amendment. An extension of ____ (__) month having a fee of $____ appears required, extending the time for response to ____.

CERTIFICATION UNDER 37 C.F.R. 1.8

I hereby certify that this Appeal Brief and the documents referred to as attached therein are being transmitted by facsimile on this date July 28, 2003, to TC3700 at 703-872-9303 addressed to: Mail Stop: BPAI, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle Bugbee

Michelle Bugbee

4. The fee for filing a brief in support of an appeal is **$320.00**. (37 C.F.R. § 1.17(c)).

FEE PAYMENT

5. ___ Attached is a check in the sum of $ _____.

OR

XX Charge Account No. **17-0150** the sum of **$ 320.00**. (Total Fee for Filing Brief &/or Extension Fee)

FEE DEFICIENCY

6. **XX** If any additional extension fee is required, charge Account No. **17-0150**.

Respectfully submitted,

MICHAEL J. SULLIVAN

By Michelle Bugbee

Michelle Bugbee, Reg. No. 42,370
The Top-Flite Golf Company
425 Meadow Street
P.O. Box 901
Chicopee, MA 01021-0901

Customer No. 24492
Phone: 413-322-2937
Date: July 28 ,2003

cc: SSW Dep. Acct.
Richard M. Klein, Esq. (SLD 2 0035-1-1)

#40/Appeal Brief
LMorgan
7/31/03

P-3724-F2 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Michael J. Sullivan

Serial No.: 08/815,556 **Examiner:** M. Graham

Filing Date: March 12, 1997 **Group Art Unit:** 3711

For: MULTI-LAYER GOLF BALL

Mail Stop BPAI
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER 37 C.F.R. § 1.192

This Appeal Brief is in furtherance of the Notice of Appeal that was filed for the above-referenced application on May 28, 2003.

The fees required under § 1.17, and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying Fee Transmittal.

Appellant files herewith an Appeal Brief in connection with the above-identified application, wherein claims 1 to 13 were finally rejected in the Office Action of February 28, 2003. What follows is Appellant's Appeal Brief in accordance with 37 C.F.R. § 1.192(a).

CERTIFICATION UNDER 37 C.F.R. 1.8

I hereby certify that this Appeal Brief and the documents referred to as attached therein are being transmitted by facsimile on this date July 28, 2003, to TC3700 at 703-872-9303 addressed to: Mail Stop: BPAI, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle Bugbee

Michelle Bugbee

07/31/2003 LMORGAN 00000004 170150 08815556

01 FC:1402 320.00 DA

I. REAL PARTY IN INTEREST (37 C.F.R. § 1.192(c)(1))

The real parties in interest in this appeal are the inventor named in the caption of this brief (Michael J. Sullivan) and the assignee, The Top-Flite Golf Company.

II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 1.192(c)(2))

Currently, it is believed that there is one other appeal in process or pending before the U.S. Patent and Trademark Office from which the present application bases its priority that may directly affect or be affected by or have a bearing on the Board's decision in this Appeal. The other appeal currently pending is U.S. Application Serial No. 10/047,626 filed January 15, 2002, which is a continuation of the present application.

Appellant notes that U.S. Application Serial Nos. 08/926,246 filed September 5, 1997, 08/926,194 filed September 9, 1997, 09/842,607 filed April 25, 2001 and 09/873,594 filed June 4, 2001 are currently under appeal before the U.S. Patent and Trademark Office. The above-mentioned applications claim priority from one or more of the applications upon which the present application claims priority. Although the present application is not directly related to the above-mentioned applications, Appellant cites those cases in order to bring them to the Board's attention.

III. STATUS OF CLAIMS (37 C.F.R. § 1.192(c)(3))

The status of claims set forth after the Final Office Action mailed February 28, 2003 and the Advisory Action mailed April 30, 2003 was, and is, as follows:

Allowed claims: none

Rejected claims: 1 to 13

The present appeal is directed specifically to claims 1 to 13.

IV. STATUS OF AMENDMENTS (37 C.F.R. § 1.192(c)(4))

In the Final Office Action of February 28, 2003, the Examiner rejected claims 1 to 5, 9 to 11 and 13 under 35 U.S.C. §103(a) as being unpatentable

over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739); and claims 6 to 8 and 12 under 35 U.S.C. §103(a) as being unpatentable over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739) as applied to claim 1, and further in view of Sullivan (4,884,814).

There are no unentered amendments.

V. SUMMARY OF THE INVENTION (37 C.F.R. § 1.192(c)(5))

The present invention is directed to a golf ball comprising a core; an inner cover layer molded on the core, the inner cover layer comprising a high acid ionomer including greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid; and an outer cover layer molded on the inner cover layer, the outer cover layer comprising a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers (claim 1); the inner cover layer having a modulus of from about 15,000 to about 70,000 psi; an outer cover layer molded over said inner cover layer to form a multi-layer golf ball, the outer cover layer comprising a blend of i) a sodium or zinc salt of a copolymer having from 2 to 8 carbon atoms and an unsaturated monocarboxylic acid having from 3 to 8 carbon atoms, and ii) a sodium or zinc salt of a terpolymer of an olefin having 2 to 8 carbon atoms, methacrylic or acrylic acid and an unsaturated monomer of the acrylate ester class having from 1 to 21 carbon atoms, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi (claim 12); and the inner layer having a modulus of from about 15,000 to about 70,000 psi; an outer cover layer molded over said spherical intermediate ball to form a multi-layer golf ball, the outer cover layer comprising a non-ionomeric elastomer selected from the group consisting of polyester elastomer, polyurethane and polyester amide, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi (claim 13).

VI. ISSUES (37 C.F.R. § 1.192(c)(6))

Whether claims 1 to 5, 9 to 11 and 13 are obvious under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739); and

whether claims 6 to 8 and 12 are obvious under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi (5,222,739) as applied to claim 1, and further in view of Sullivan (4,884,814).

VII. GROUPING OF CLAIMS (37 C.F.R. § 1.192(c)(7))

Claims 1 to 13 are pending, and are grouped as follows:

Claim 1 claims a golf ball comprising a core; an inner cover layer molded on said core, the inner cover layer comprising a high acid ionomer including greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid; and an outer cover layer molded on said inner cover layer, said outer cover layer comprising a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers. Claims 2 to 11 depend from claim 1 and claim additional cover features. Claims 1 to 11 stand or fall together.

Claim 12 claims a multi-layer golf ball comprising a spherical solid core; an inner cover layer molded over said spherical solid core, said inner cover layer comprising an ionomeric resin including greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and having a modulus of from about 15,000 to about 70,000 psi; an outer cover layer molded over said inner cover layer to form a multi-layer golf ball, the outer cover layer comprising a blend of i) a sodium or zinc salt of a copolymer having from 2 to 8 carbon atoms and an unsaturated monocarboxylic acid having from 3 to 8 carbon atoms, and ii) a sodium or zinc salt of a terpolymer of an olefin having 2 to 8 carbon atoms, methacrylic or acrylic acid and an unsaturated monomer of the acrylate ester class having from 1 to 21 carbon atoms, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi. Claim 12 stands or falls alone.

Claim 13 multi-layer golf ball comprising a spherical solid core; an inner cover layer molded over said spherical solid core to form a spherical intermediate ball, said inner cover layer comprising an ionomeric resin including about 17% to about 25% by weight of an alpha, beta-unsaturated

carboxylic acid and having a modulus of from about 15,000 to about 70,000 psi; an outer cover layer molded over said spherical intermediate ball to form a multi-layer golf ball, the outer cover layer comprising a non-ionomeric elastomer selected from the group consisting of polyester elastomer, polyurethane and polyester amide, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi. Claim 13 stands or falls alone.

Claims 1, 12 and 13 and their respective dependent claims are patentably distinct because each independent claim claims different features for the inner and outer cover layers.

VIII. ARGUMENTS (37 C.F.R. § 1.192(c)(8))

1. The Examiner's rejection of claims 1 to 5, 9 to 11 and 13 as obvious under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739) is erroneous and must be reversed.

The Examiner has rejected claims 1 to 5, 9 to 11 and 13 as unpatentable under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi et al.(5,222,739). The basis for the Examiner's rejection is as follows:

> Claims 1-5, 9-11, and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nesbitt in view of Horiuchi et al. Nesbitt discloses the claimed invention with the exception of the particular materials utilized. However, one of ordinary skill in the art would, in view of Nesbitt's disclosure, recognize that other known materials could have been utilized in the invention so long as the cover comprised a harder inner layer overlaid by a softer outer layer. As disclosed by Horiuchi the use of high acid ionomers is known in the art. It would have been obvious to one of ordinary skill in the art to utilized the known materials disclosed by Horiuchi for their recognized advantages as noted by Horiuchi in the relationship suggested by Nesbitt to achieve a ball with such advantages.

(See Office Action of February 28, 2003 p. 2.)

A. The Examiner's Cited References

U.S. Patent No. 4,431,193 to Nesbitt discloses a golf ball comprising a core and a multi-layer cover. The inner cover layer comprises a hard, high flexural modulus ionomer, and the outer cover

layer comprises a soft, low flexural modulus ionomer. Nesbitt uses as examples Surlyn® 1605 and 1855 ionomers, high and low flexural modulus ionomers respectively. Nesbitt does not disclose a multi-layer cover where the inner cover layer comprises a high acid ionomer containing greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and the outer cover layer comprises a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers.

U.S. Patent No. 5,222,739 to Horiuchi discloses golf balls having a single layer cover comprising at least 20% of a carboxyl-rich ionomer resin prepared by neutralizing 15 to 80 mol % of carboxylic acid groups of an olefinic copolymer containing 16 to 30% by weight of an alpha, beta-ethylenic unsaturated carboxylic acid with monovalent or divalent metal ions. Horiuchi teaches using high acid ionomers in an outer cover or single cover layer rather than an inner cover layer.

B. The Subject Matter of Claims 1 to 5, 9 to 11 and 13 are Patentably Distinguishable Over the Cited Art

Claims 1 to 5, 9 to 11 and 13 are not obvious in light of the combination of Nesbitt and Horiuchi et al.

Appellant respectfully submits that the Examiner has failed to make out a *prima facie* case of obviousness. Nesbitt, the Examiner's primary reference, discloses a golf ball comprising a core and a multi-layer cover. The inner cover layer comprises a hard, high flexural modulus ionomer, and the outer cover layer comprises a soft, low flexural modulus ionomer. Nesbitt uses as examples Surlyn® 1605 and 1855 ionomers, high and low flexural modulus ionomers respectively. Nesbitt does not disclose a multi-layer cover where the inner cover layer comprises a high acid ionomer containing greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and the outer cover layer comprises a relatively soft polymeric material selected from the group

consisting of low flexural modulus ionomer resins and non-ionomeric elastomers.

Horiuchi is directed to a golf ball having a single layer cover comprising at least 20% of a carboxyl-rich ionomer resin prepared by neutralizing 15 to 80 mol % of carboxylic acid groups of an olefinic copolymer containing 16 to 30% by weight of an alpha, beta-ethylenic unsaturated carboxylic acid with monovalent or divalent metal ions. Horiuchi teaches using high acid ionomers in an outer cover layer rather than an inner cover layer. Appellant respectfully submits that there is no motivation, teaching or suggestion in Horiuchi to use high acid ionomer resins in an inner cover layer. Instead, the only specific teaching in Horiuchi shows high acid ionomers in golf ball outer covers of two piece golf balls or wound balls having a single, outer cover layer. Contrary to the Examiner's assertions, the use of high acid ionomers in an inner cover layer is not known in the art; instead, it is only known in the art to use high acid ionomers in the outer cover layer or in a single cover layer, as shown in Higuchi.

Since the primary reference, Nesbitt, is deficient because it does not disclose a golf ball having a multi-layer cover, wherein the inner cover layer comprises a high acid ionomer containing greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and the outer cover layer comprises a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers, the addition of Horiuchi as a secondary reference does not cure this deficiency. Appellant respectfully submits that even if Horiuchi is combined with Nesbitt, Horiuchi is not directed to a golf ball having a high acid ionomer in the inner cover layer. Therefore, the resulting product would contain a high acid ionomer resin in the single or outer cover layer.

Furthermore, Appellant respectfully submits that a prior art patent, such as Nesbitt or Horiuchi, must be considered as a whole, and it is impermissible to pick and choose from one reference only so much of it as will support a given position to the exclusion of other parts necessary for the full appreciation of what the reference fairly suggests to one skilled in the art. Appellant respectfully submits that the Examiner is picking and choosing cover materials from prior art patents in an attempt to recreate Appellant's invention, and one skilled in the art would not select the cover materials the Examiner has selected. Appellant respectfully submits that the Examiner has not shown the motivation, teaching or suggestion to combine Horiuchi with Nesbitt, and the only teaching is found in Appellant's own disclosure, and the use of hindsight knowledge and/or Appellant's disclosure as prior art to support an obviousness rejection is impermissible.

Furthermore, Appellant respectfully submits that in the previous appeal, the Board of Appeals, in the Decision on Appeal mailed September 17, 2001, stated that "[j]ust because high acid ionomers are known in the prior art, it does not necessarily follow that it would have been obvious to select such a material for the purpose of making Nesbitt's inner cover layer" (Decision page 4, referring to Nakamura US 5,068,151). The Board further stated that "[w]hat is lacking in the cited prior art is a teaching or suggestion that an increase in the acid content in the inner ionomeric cover into the high acid range will increase resilience of the golf ball. Lacking such a suggestion, the only way the examiner could have arrived at his conclusion of obviousness is through hindsight based on appellant's teaching. Hindsight analysis, however, is clearly improper" (Decision page 4). Appellant respectfully submits that like Nakamura, Horiuchi also fails to teach or even suggest the aspects specifically recited in the pending claims, and the Examiner has used

hindsight in this case to combine Horiuchi with Nesbitt since there is no teaching or suggestion in Horiuchi to do so.

Appellant respectfully submits that the Examiner's cited references neither teach nor suggest the golf ball of independent claims 1 and 13. Claims 2 to 5 and 9 to 11 depend from claim 1 and recite additional features, and therefore are also not obvious over the cited references.

2. The Examiner's rejection of claims 6 to 8 and 12 as obvious under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739) as applied to claim 1, and further in view of Sullivan (4,884,814) is erroneous and must be reversed.

The Examiner has rejected claim 6 to 8 and 12 as being unpatentable under 35 U.S.C. §103(a) over Nesbitt (4,431,193) in view of Horiuchi et al. (5,222,739) as applied to claim 1, and further in view of Sullivan (4,884,814). The basis for the Examiner's rejection is as follows:

> Claims 6-8 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Sullivan '814. Nesbitt does not suggest his outer cover as being a blend of hard and soft ionomer. Blends of hard and soft ionomer are known to provide a balance of distance, spin, and durability not obtainable previously (see Sullivan Col. 3, lines 38-64). It would have been obvious to one of ordinary skill in the art to have used a blend of hard and soft ionomer as Nesbitt's outer cover for the expected results.

(See Office Action of February 28, 2003 p. 2.)

A. The Examiner's Cited References

U.S. Patent No. 4,431,193 to Nesbitt discloses a golf ball comprising a core and a multi-layer cover. The inner cover layer comprises a hard, high flexural modulus ionomer, and the outer cover layer comprises a soft, low flexural modulus ionomer. Nesbitt uses as

examples Surlyn® 1605 and 1855 ionomers, high and low flexural modulus ionomers respectively. Nesbitt does not disclose a multi-layer cover where the inner cover layer comprises a high acid ionomer containing greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and the outer cover layer comprises a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers.

U.S. Patent No. 5,222,739 to Horiuchi discloses golf balls having a single layer cover comprising at least 20% of a carboxyl-rich ionomer resin prepared by neutralizing 15 to 80 mol % of carboxylic acid groups of an olefinic copolymer containing 16 to 30% by weight of an alpha, beta-ethylenic unsaturated carboxylic acid with monovalent or divalent metal ions. Horiuchi teaches using high acid ionomers in an outer cover or single cover layer rather than an inner cover layer.

U.S. Patent No. 4,884,814 to Sullivan discloses a golf ball having a single cover layer.

B. The Subject Matter of Claims 6 to 8 and 12 is Patentably Distinguishable Over the Cited Art

Claims 6 to 8 and 12 are not obvious in light of the combination of Nesbitt and Horiuchi et al., and further in view of Sullivan.

Appellant respectfully submits that the Examiner has failed to make out a *prima facie* case of obviousness. As discussed above, Nesbitt in view of Horiuchi does not disclose Appellant's golf ball of claim 1 with or without an outer cover comprising a blend of hard and soft ionomers, because Nesbitt in view of Horiuchi does not disclose a golf ball with an inner cover layer comprising a high acid ionomer. Therefore, the addition of Sullivan '814 as a secondary reference does not remedy this defect. Furthermore, the Sullivan '814 reference is also directed to a golf ball having a single cover layer, not a multi-layer cover, as disclosed and claimed by the present invention. Therefore, even if the

invention was disclosed without an outer cover comprising a blend of hard and soft ionomers, which Appellant submits it is not, there is no motivation, suggestion or teaching to combine Sullivan '814 with Nesbitt to provide a golf ball having an outer cover comprising a blend of hard and soft ionomers.

The Examiner's cited references neither teach nor suggest the golf ball of independent claims 1 and 12. Claims 6 to 8, which depend from claim 1 and recite additional features, are also not obvious in light of the Examiner's cited references.

IX. CONCLUSION

In view of the above, Appellant respectfully submits that claims 1 to 13 are non-obvious and patentable over the cited references. Accordingly, it is respectfully requested that the Examiner's rejection of claims 1 to 13 be reversed.

Respectfully submitted,

MICHAEL J. SULLIVAN

By: Michelle Bugbee

Michelle Bugbee, Reg. No. 42,370
The Top-Flite Golf Company
Attorney for Appellant
425 Meadow Street
P.O. Box 901
Chicopee, MA 01021-0901

Customer No. 24492
Phone: (413) 322-2937

Date: July 28, 2003

Cc: Richard M. Klein, Esq. (SLD 2 0035-1-1)

APPENDIX A

The claims standing on appeal are:

1. A golf ball comprising:

a core;

an inner cover layer molded on said core, the inner cover layer comprising a high acid ionomer including greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid; and

an outer cover layer molded on said inner cover layer, said outer cover layer comprising a relatively soft polymeric material selected from the group consisting of low flexural modulus ionomer resins and non-ionomeric elastomers.

2. A golf ball according to claim 1 wherein the inner cover layer comprises a high acid ionomer resin comprising a copolymer of about 17% to about 25% by weight of an alpha, beta-unsaturated carboxylic acid.

3. A golf ball according to claim 1 wherein the inner cover layer comprises a high acid ionomer resin comprising a copolymer of about 18.5% to about 21.5% by weight of an alpha, beta-unsaturated carboxylic acid.

4. A golf ball according to claim 1, wherein the inner cover layer has a thickness of about 0.100 to about 0.010 inches and the outer cover layer has a thickness of about 0.010 to about 0.05 inches, the golf ball having an overall diameter of 1.680 inches or more.

5. A golf ball according to claim 1 wherein the inner cover layer has a thickness of about 0.300 inches and the outer cover layer has a thickness of about 0.375 inches, the golf ball having an overall diameter of 1.680 inches or more.

6. A golf ball according to claim 1 wherein the outer cover layer comprises a low flexural modulus ionomer resin which includes a blend of a hard high modulus

ionomer with a soft low modulus ionomer, the high modulus ionomer being a sodium, zinc, magnesium or lithium salt of a copolymer having from 2 to 8 carbon atoms and an unsaturated monocarboxylic acid having from 3 to 8 carbon atoms, the low modulus ionomer being a sodium or zinc salt of a terpolymer of an olefin having 2 to 8 carbon atoms, acrylic acid and an unsaturated monomer of the acrylate ester class having from 1 to 21 carbon atoms.

7. A golf ball according to claim 6 wherein the outer layer composition includes 90 to 10 percent by weight of the hard high modulus ionomer resin and about 10 to 90 percent by weight of the soft low modulus ionomer resin.

8. A golf ball according to claim 6 wherein the outer layer composition includes 75 to 25 percent by weight of the hard high modulus ionomer resin and about 25 to 75 percent by weight of the soft low modulus ionomer resin

9. A golf ball according to claim 1 wherein the non-ionomeric elastomer is a polyurethane.

10. A golf ball according to claim 1 wherein the non-ionomeric elastomer is a polyester elastomer.

11. A golf ball according to claim 1 wherein the non-ionomeric elastomer is a polyester amide.

12. A multi-layer golf ball comprising:

a spherical solid core;

an inner cover layer molded over said spherical solid core, said inner cover layer comprising an ionomeric resin including greater than 16% by weight of an alpha, beta-unsaturated carboxylic acid and having a modulus of from about 15,000 to about 70,000 psi;

an outer cover layer molded over said inner cover layer to form a multi-layer golf ball, the outer cover layer comprising a blend of i) a sodium or zinc salt of a copolymer having from 2 to 8 carbon atoms and an unsaturated monocarboxylic acid having from 3 to 8 carbon atoms, and ii) a sodium or zinc salt of a terpolymer of an olefin having 2 to 8 carbon atoms, methacrylic or acrylic acid and an unsaturated monomer of the acrylate ester class having from 1 to 21 carbon atoms, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi.

13. A multi-layer golf ball comprising:

a spherical solid core;

an inner cover layer molded over said spherical core to form a spherical intermediate ball, said inner cover layer comprising an ionomeric resin including about 17% to about 25% by weight of an alpha, beta-unsaturated carboxylic acid and having a modulus of from about 15,000 to about 70,000 psi;

an outer cover layer molded over said spherical intermediate ball to form a multi-layer golf ball, the outer cover layer comprising a non-ionomeric elastomer selected from the group consisting of polyester elastomer, polyurethane and polyester amide, said outer cover layer having a modulus in a range of about 1,000 to about 30,000 psi.